

Colecchia, Annamaria

From: Pat Shaw-Allen - NOAA Federal <pat.shaw-allen@noaa.gov>
Sent: Monday, June 08, 2020 2:53 PM
To: Colecchia, Annamaria; Sareen, Neha; Siegel, Joseph
Cc: cathy.tortorici@noaa.gov; Lisamarie Carrubba - NOAA Federal
Subject: Re: Request for additional information Limetree Bay permit

Good afternoon

As a follow up to our request for additional information and call this morning, I would like to reiterate that ambient monitoring, with an adequate characterization of emissions and the effects of those emissions on water quality, is critical to identifying whether the permit will result in harmful conditions for ESA-protected species that occur in the permit impact area. A credible exposure-response assessment for ESA-listed sea turtles, corals, and Nassau grouper cannot be completed with the currently available information. NMFS will continue to provide technical assistance to EPA, as needed. Should his permit be reopened, technical assistance during the early stages of permit development is the most effective strategy for a timely resolution of ESA concerns.

Please keep in touch

Pat

Patricia Shaw-Allen, Ph.D.
Ecotoxicologist
NOAA Fisheries
U.S. Department of Commerce
Office: (301)427-8473
Mobile: (603)545-7827
pat.shaw-allen@noaa.gov
www.nmfs.noaa.gov



On Mon, Jun 8, 2020 at 11:05 AM Pat Shaw-Allen - NOAA Federal <pat.shaw-allen@noaa.gov> wrote:

Good morning

We are hoping you have been able to review the preliminary technical assistance information we sent June 1st for the Limetree Bay Clean Air Act permit. To recap, we suggested that EPA could make "not likely to adversely affect" determinations for ESA-listed marine mammals and elasmobranchs based on either insignificant or discountable exposures. However, we need more information about the permit and anticipated emissions in order to perform a credible exposure-response analysis for sea turtles, the Nassau grouper, and ESA-listed corals. For the action under consideration, we specifically need to know:

- 1) The anticipated duration and frequency of higher emissions periods allowed under the "operational flexibility" feature of the permit
- 2) The anticipated magnitude of difference between baseline emissions and peak emissions under the "operational flexibility" feature of the permit (e.g., Two times baseline? Three times baseline?)

- 3) The identity and estimated concentrations or load of other pollutants (e.g., PAH, metals, organics, mercury) in the plume that may reach and partition into the water
- 4) Estimated in-water concentrations or load of permitted and associated pollutants
- 5) The design of the monitoring program (e.g., continuous, during planned pulses, systematic, random, a combination)
- 6) Any weather or time-related restrictions on emissions (e.g., wind direction, rain, nighttime versus daytime, coral spawning periods)

Due to the “operational flexibility” feature of this permit, estimates of a central tendency alone (i.e. averages, geometric means) would not allow for a credible exposure analysis. For this reason, any emissions point estimates provided by EPA need to be identified as baseline or peak and must include confidence intervals. Alternatives to point estimates include quantiles or cumulative distribution functions.

We understand that some of this information may be considered Confidential Business Information. We routinely handle such information for our pesticides consultations under an access authorization agreement with the EPA Office of Pesticides Program. Your office could initiate a similar agreement, if necessary.

Thank you

Pat

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